



PATENT APPLICATION  
JC06 Rec'd PCT/PTO 22 SEP 2005

PCT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Confirmation No.: Unknown

Ennio ONGINI, et al.

Group Art Unit: Unknown

Application No.: 10/537,439

Atty. Dkt. No.: 026220-00066

Filed: June 16, 2005

For: DRUGS FOR CHRONIC PAIN

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

September 22, 2005

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the information item(s) listed on the attached Form PTO-SB/08a and PTO-SB/08b. Unless otherwise indicated herein, one copy of each item(s) is attached. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the item(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

1. This Information Disclosure Statement is being filed (a) within three months of the U.S. filing date or the date of filing a CPA, OR (b) before the mailing date of a first Office Action on the merits in the present application, or (c) accompanies a Request for Continued Examination. No certification or fee is required.

2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

c. A check in the amount of \$180.00 in payment of the fee under 37 CFR §1.17(p). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.

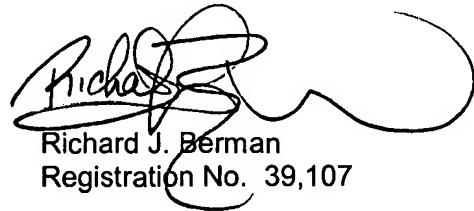
3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Applicant(s) hereby petition(s) that the Information Disclosure Statement be considered. Attached is our check in the amount of \$130.00 in payment of the petition fee under 37 CFR §1.17(i)(1). Please charge any fee deficiency or credit any overpayment to Deposit Account No. 01-2300 as needed to ensure consideration of the disclosed information.

a. I hereby certify that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(1).

b. I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 CFR §1.97(e)(2).

4. The reference(s) listed on the attached PTO-SB/08a and PTO-SB/08b reference(s) were cited during prosecution in a counterpart foreign application.

Respectfully submitted,

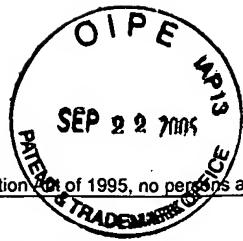


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Enclosures: Form PTO-SB/08a; Form PTO-SB/08b; References (7)



PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**Substitute for form 1449A/PTO**

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
Form PTO/SB/08a

Sheet 1 of 1

Complete if Known

|                        |                      |
|------------------------|----------------------|
| Application Number     | 10/537,439           |
| Filing Date            | June 16, 2005        |
| First Named Inventor   | Ennio ONGINI, et al. |
| Art Unit               |                      |
| Examiner Name          |                      |
| Attorney Docket Number | 026220-00066         |

## U.S. PATENT DOCUMENTS

## FOREIGN PATENT DOCUMENTS

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code. <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.



PTO/SB/08b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Sheet 1 of 1

**Complete if Known**

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| Application Number     | 10/537,439           |
| Filing Date            | June 16, 2005        |
| First Named Inventor   | Ennio ONGINI, et al. |
| Art Unit               |                      |
| Examiner Name          |                      |
| Attorney Docket Number | 026220-00066         |

## NON PATENT LITERATURE DOCUMENTS

|                       |  |                    |  |
|-----------------------|--|--------------------|--|
| Examiner<br>Signature |  | Date<br>Considered |  |
|-----------------------|--|--------------------|--|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code. <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language translation is attached. AB indicates that only an English language abstract is attached.